Department of Justice

Acting United States Attorney Lawrence G. Brown
Eastern District of California

FRESNO GANG MEMBER SENTENCED TO THE MAXIMUM TERM FOR POSSESSING A FIREARM

FRESNO, Calif. – Acting United States Attorney Lawrence G. Brown announced today that last Friday United States District Judge Lawrence J. O'Neill sentenced EDWARD MARKHAM, 32, of Fresno, to 10 years in federal prison for being a felon in possession of a firearm. A federal jury in Fresno returned a guilty verdict on December 2, 2008.

This case was the product of an investigation by the Fresno Police Department and the Bureau of Alcohol, Tobacco, Firearms, and Explosives. The investigation was part of a federal, state, and local law enforcement initiative entitled Project Safe Neighborhood in which dangerous street criminals are prosecuted under federal law and exposed to stringent federal sentences.

According to Assistant United States Attorneys Elana Landau and Ian Garriques, who prosecuted the case, MARKHAM was apprehended by Fresno police officers in February 2008 after he fled from a vehicle stop with a pistol in hand. The officers had stopped the vehicle for a traffic violation due to their belief that a wanted person was in the car. MARKHAM ran, threw aside the gun, and was subdued by officers. At trial, MARKHAM claimed that he only had a cell phone in hand, which must have been mistaken for a gun. He could not explain why a gun was found where he threw the "cell phone" or why he fled the scene in the first place.

Judge O'Neill imposed the statutory maximum, determining that there was no other way to protect the public from MARKHAM's nearly uninterrupted criminal activity. He has a lengthy record of adult and juvenile arrests and convictions while being a Modoc and Diamond Crip gang member, and includes a conviction for assault with a semi-automatic rifle after a shootout with rival gang members.

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